

Notice of Allowability

Application No.

09/931,505

Applicant(s)

ROSS ET AL.

Examiner

Art Unit

James S. Wozniak

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/16/2005.
2. ☒ The allowed claim(s) is/are 1-3, 6-10, 13-17, 20-23 (now 1-17).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

1. In response to the office action from 11/10/2005, the applicant has submitted a request for continued examination, filed 11/16/2005, amending claims 1, 8, 15 and 22, while canceling claims 4-5, 11-12, and 18-19 and arguing to traverse the art rejection based on the amended limitations (*Amendment, Page 7*). Applicant's arguments have been fully considered and claims 1-3, 6-10, 13-17, 20-23 are allowable over the prior art of record for the below given reasons.

Allowable Subject Matter

2. Claims 1-3, 6-10, 13-17, 20-23 are allowable over the prior art of record.

3. The following is an examiner's statement of reasons for allowance:

With respect to **Claims 1, 8, 15, and 22**, the prior art of record fails to explicitly teach or fairly suggest a method, system, or computer readable medium having a program for directing a speech command to a desired speech-enabled computer application based on different speech recognition grammars that are maintained for each application and a recency of relevant access characteristic of a particular program when a speech command is valid for more than one application. The different grammars (*persistent, foreground, and background*) specify valid speech commands for a particular operating context (*application window position in foreground*

or background; application active or inactive) of each speech-enabled computer application.

The prior art of record also fails to explicitly teach or fairly suggest launching an application, if required, and performing an action corresponding to the input speech command in combination with the aforementioned determination process based upon different context grammars and a recency of relevant access characteristic.

Although Balakrishnan (*U.S. Patent: 6,233,559*) teaches a means for directing a speech command to a particular computer application based on a focus state (Col. 4, Lines 38-67), Balakrishnan does not teach maintaining separate speech recognition grammars for each focus state, using a recency of relevant access characteristic in combination with the separate grammars, or launching a computer application if required and performing a function corresponding to a speech command.

Although Armas et al (*U.S. Patent: 5,864,819*) teaches a means for directing a speech command to a speech-enabled application through the use of foreground and background vocabularies (*Col. 7, Line 64- Col. 8, Line 14; Fig. 5A*), Armas fails to teach the use of background, foreground, and persistent grammars in combination with a recency of relevant access characteristic in application determination or the launch of a computer application, if required, and execution of a function corresponding to a speech command.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

James S. Wozniak
1/3/2006